

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 14

DATE: June 12, 2017

RECOMMENDATION: Conduct a public hearing to consider amendments to proposed Rule 1162 – Polyester *Resin Operations* and 2. Continue public hearing to June 26, 2017.

SUMMARY: Rule 1162 is proposed for amendment to satisfy 42 U.S.C. §§7511a (Federal Clean Air Act (FCAA) §182) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Technique Guidelines (CTGs) and for major sources of ozone precursors. Continuation is necessary to address substantive industry comments.

CONFLICT OF INTEREST: None

BACKGROUND: The Mojave Desert Air Quality Management District (MDAQMD) has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to adopt, amend or repeal rules and regulations. The MDAQMD is proposing to amend Rule 1162 – Polyester Resin Operations for inclusion in the current rulebook.

The FCAA requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to CTG documents issued by United States Environmental Protection Agency (USEPA) and for “major sources” of Volatile Organic Compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. The District adopted the *8-Hour Reasonably Available Control Technology – State Implementation Analysis (RACT SIP Analysis)* in February, 2015 for the 2008 75 ppb ozone National Ambient Air Quality Standards (NAAQS). This document committed to amending current RACT for polyester resin operations. The MDAQMD has a polyester resin rule which was approved as RACT into the State Implementation Plan (SIP) in 2008 (73 FR 70883, 11/24/2008). This rule is subject to the CTG entitled *Control Techniques Guidelines for Fiberglass Boat Manufacturing* (EPA-453/R-08-004 September 2008). Rule 1162 is also subject to Subpart VVVV – *National Emission*

I, Deanna Hernandez
CUSTODIAN OF RECORDS OF MOJAVE DESERT AIR
QUALITY MANAGEMENT DISTRICT, HEREBY CERTIFY
THE FOREGOING TO BE A FULL, TRUE AND CORRECT
COPY OF THE RECORD OF THE ACTION AS THE SAME
APPEARS IN THE OFFICIAL MINUTES OF SAID
GOVERNING BOARD MEETING

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT.

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Standards for Hazardous Air Pollutants for Boat Manufacturing (66 FR 44232, August 22, 2001) and Subpart WWW – National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production (68 FR 19402, April 21, 2003).

The MDAQMD is proposing to update Rule 1162 – *Polyester Resin Operations* to reflect current federal RACT as determined by CTG requirements, NESHAP requirements, and the rules of other California nonattainment agencies.

The proposed amendments to Rule 1162 address the *RACT SIP Analysis* commitment. The proposed amendments update rule applicability, definitions, requirements, compliant material requirements, control equipment requirements, cleaning equipment requirements, work practices, exemptions, and test methods. The amendments are based on the CTG, NESHAPS, and San Joaquin Valley Unified Air Pollution Control District (SVUAPCD) Rule 4684 – *Polyester Resin Operations* as amended August 18, 2011. SVUAPCD Rule 4684 was approved into the SIP as RACT at 77 FR 5709, February 6, 2012. Therefore, MDAQMD staff recommends amending Rule 1162 – *Polyester Resin Operations*.

A Notice of Exemption, Categorical Exemption (Class8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the amendment of Rule 1162 pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation. Also, 42 U.S.C. §7410(l) (FCAA §110(l)) requires that all SIP revisions be adopted after public notice and hearing.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy Director – Mojave Desert Operations on or about May 26, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy Director – Mojave Desert Operations

**CONCENSUS ACTION OF THE GOVERNING BOARD TO
CONTINUED ITEM TO GOVERNING BOARD MEETING OF JUNE 26, 2017.**